

Filed On Behalf Of: Novartis AG

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**PAR PHARMACEUTICAL, INC.,  
BRECKENRIDGE PHARMACEUTICAL, INC. AND  
ROXANE LABORATORIES, INC.**

Petitioners,

v.

**NOVARTIS AG,**  
Patent Owner

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Case IPR2016-00084<sup>1</sup>  
U.S. Patent 5,665,772

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**PATENT OWNER'S UNOPPOSED  
NOTICE OF TRANSCRIPTION ERROR**

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<sup>1</sup> Breckenridge Pharmaceutical, Inc. was joined as a party to this proceeding via a Motion for Joinder in IPR2016-01023; Roxane Laboratories, Inc. was joined as a party via a Motion for Joinder in IPR2016-01102.

Pursuant to the Board’s April 18, 2017 email authorizing Patent Owner Novartis AG (“Novartis”) to file an Unopposed Notice of Transcription Error in this proceeding, Novartis respectfully notifies the Board of the following transcription error in the Record of Oral Hearing (Paper No. 71), which was filed on March 15, 2017. As Novartis stated in its March 21, 2017 email to the Board, Petitioners Par Pharmaceutical, Inc., Roxane Laboratories, Inc., and Breckenridge Pharmaceutical, Inc. (“Petitioners”) have indicated that they do not oppose correction of the following error.

At page 48, line 4 of the Record of Oral Hearing, the transcript incorrectly recorded a statement from Patent Owner’s counsel, Ms. Schwarz, regarding Lemke Table 16-1. Specifically, the transcript states “we think it is inappropriate when looking at Table 16-1 to look at the atoms that differ between Rapamycin and Everolimus. . . .” (Underscoring added.) Instead, Ms. Schwarz stated “we think it is appropriate when looking at Table 16-1 to look at the atoms that differ between Rapamycin and Everolimus. . . .” Evidence that Ms. Schwarz’s statement was mistranscribed is readily apparent from the discussion of Lemke Table 16-1 at page 42, line 16 to page 44, line 21, and page 46, line 2 to page 48, line 18 of the Record of Oral Hearing.

Dated: April 18, 2017

Respectfully submitted,

/Nicholas N. Kallas/

Nicholas N. Kallas

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Lead Counsel for Patent Owner

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## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Patent Owner's Unopposed Notice of Transcription Error was served on April 18, 2017, by causing it to be sent by email to counsel for Petitioners at the following email addresses:

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